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NOTICE OF ALLOWANCE AND FEE(S) DUE

25271

7590

11/26/2008

GALLAGHER & LATHROP, A PROFESSIONAL CORPORATION
601 CALIFORNIA ST
SUITE 1111
SAN FRANCISCO, CA 94108

EXAMINER

GODBOLD, DOUGLAS

ART UNIT

PAPER NUMBER

2626

DATE MAILED: 11/26/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,951	02/19/2004	Mark Stuart Vinton	DOL126	4809

TITLE OF INVENTION: ADAPTIVE HYBRID TRANSFORM FOR SIGNAL ANALYSIS AND SYNTHESIS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/26/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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GALLAGHER & LATHROP, A PROFESSIONAL CORPORATION
 601 CALIFORNIA ST
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 SAN FRANCISCO, CA 94108

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	02/26/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
GODBOLD, DOUGLAS	2626	704-500000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 711 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 711 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/783,951

Examiner

DOUGLAS C. GODBOLD

Applicant(s)

VINTON ET AL.

Art Unit

2626

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04 August 2008.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This Office Action is in response to correspondence filed August 4, 2008 in reference to application 10/783,951. Claims 1-24 are pending in the application and have been examined.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Lathrop on 12 November 2008.

3. Please amend claims 19-24 as follows:

4. Claim 19: A storage medium recording a program of instructions that is executable by a device to perform a method for generating an output signal that comprises:

receiving samples of a source signal having spectral content;

applying a primary transform to overlapping segments of the samples to generate a plurality of sets of spectral coefficients, wherein each set of spectral coefficients has

time-domain aliasing artifacts and represents the spectral content of a respective source signal segment for a set of frequencies;

generating one or more sets of hybrid-transform coefficients by applying a secondary transform to one or more blocks of the spectral coefficients representing spectral content of the source signal for a particular frequency in the set of frequencies across time, wherein the number of spectral coefficients in each of the one or more blocks representing the particular frequency is adapted in response to a block-length control signal and the length of the secondary transform that is applied to each of the one or more blocks of spectral coefficients is adapted in response to the block-length control signal; and

assembling information representing the one or more sets of hybrid-transform coefficients and the block-length control signal into the output signal.

5. Claim 20: The storage medium according to claim 19 wherein the primary transform is a Modified Discrete Cosine Transform and the secondary transform is a Discrete Cosine Transform that is applied to blocks of spectral coefficients that do not overlap one another.

6. Claim 21: The storage medium according to claim 20, wherein the method comprises:

analyzing samples of the source signal to generate a segment-length control signal; and

applying an analysis window function to a segment of samples of the source signal, wherein shape or length of the analysis window function is adapted in response to the segment-length control signal.

7. Claim 22 A storage medium recording a program of instructions that is executable by a device to perform a method for generating an output signal that comprises:

receiving an input signal that represents spectral content of a source signal;
obtaining one or more sets of hybrid-transform coefficients and a block-length control signal from the input signal;

applying an inverse secondary transform to the one or more sets of hybrid-transform coefficients to generate one or more blocks of spectral coefficients representing spectral content of the source signal for a particular frequency in a set of frequencies across time, wherein the number of hybrid-transform coefficients in each of the one or more sets of hybrid-transform coefficients is adapted in response to the block-length control signal and the length of the inverse secondary transform that is applied to the sets of hybrid-transform coefficients is adapted in response to the block-length control signal;

assembling the spectral coefficients into sets of spectral coefficients, wherein each set of spectral coefficients has time-domain aliasing artifacts and represents the spectral content of a segment of the source signal for all frequencies in the set of frequencies;

applying an inverse primary transform to the sets of spectral coefficients to generate output signal segments that correspond to segments of the source signal, wherein the inverse primary transform substantially cancels file time-domain aliasing artifacts.

8. Claim 23: The storage medium according to claim 22 wherein the inverse primary transform is an Inverse Modified Discrete Cosine Transform and the inverse secondary transform is an Inverse Discrete Cosine Transform that is applied to sots of hybrid-transform coefficients representing blocks of spectral coefficients that do not overlap one another.

9. Claim 24: The storage medium according to claim 23, wherein the method comprises:

obtaining a segment-length control signal From the input signal; and
applying a synthesis window function to an output signal segment, wherein shape or length of the synthesis window function is adapted in response to the segment-length control signal.

Allowable Subject Matter

10. Claims 1-24 are allowed.

11. The following is an examiner's statement of reasons for allowance:

12. Consider claim 1, the prior art of record, Davidson and Thumpudi, does not specifically teach or suggest alone or in combination, "generating one or more sets of hybrid-transform coefficients by applying a secondary transform to one or more blocks of the spectral coefficients representing spectral content of the source signal for a particular frequency in the set of frequencies across time, wherein the number of spectral coefficients in each of the one or more blocks representing the particular frequency is adapted in response to a block-length control signal and the length of the secondary transform that is applied to each of the one or more blocks of spectral coefficients is adapted in response to the block-length control signal" when combined with the other limitations of the claim. Therefore claim 1 is allowed over the prior art of record.

13. Claims 2-5 are dependent on and further limit allowed claim 1 or their parent claims and are therefore allowed as well.

14. Consider claim 6, the prior art of record, Davidson and Thumpudi, does not specifically teach or suggest alone or in combination, "applying an inverse secondary transform to the one or more sets of hybrid-transform coefficients to generate one or more blocks of spectral coefficients representing spectral content of the source signal for a particular frequency in a set of frequencies across time, wherein the number of hybrid-transform coefficients in each of the one or more sets of hybrid-transform

coefficients is adapted in response to the block-length control signal and the length of the inverse secondary transform that is applied to the sets of hybrid-transform coefficients is adapted in response to the block-length control signal" when combined with the other limitations of the claim. Therefore claim 6 is allowed over the prior art of record.

15. Claims 7-9 are dependent on and further limit allowed claim 6 or their parent claims and are therefore allowed as well.

16. Claim 10 recites similar allowable limitations as those of claim 1 and is therefore allowed for similar reasons.

17. Claims 11-14 are dependent on and further limit allowed claim 10 or their parent claims and are therefore allowed as well.

18. Claim 15 recites similar allowable limitations as those of claim 6 and is therefore allowed for similar reasons.

19. Claims 16-18 are dependent on and further limit allowed claim 10 or their parent claims and are therefore allowed as well.

20. Claim 19 recites similar allowable limitations as those of claim 1 and is therefore

allowed for similar reasons.

21. Claims 20-21 are dependent on and further limit allowed claim 20 or their parent claims and are therefore allowable as well.

22. Claim 22 recites similar allowable limitations as those of claim 6 and is therefore allowed for similar reasons.

23. Claims 23-24 are dependent on and further limit allowed claim 22 and are therefore allowed as well.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOUGLAS C. GODBOLD whose telephone number is (571)270-1451. The examiner can normally be reached on Monday-Thursday 7:00am-4:30pm Friday 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11/18/2008

/Talivaldis Ivars Smits/
Primary Examiner, Art Unit 2626

DCG